



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,255	03/26/2004	James You	252011-2120	1643
47390	7590	04/20/2006	EXAMINER	
THOMAS, KAYDEN, HOSTEMEYER & RISLEY LLP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339				TRAN, KHOI H
ART UNIT		PAPER NUMBER		
		3651		

DATE MAILED: 04/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/811,255	YOU ET AL.	
	Examiner	Art Unit	
	Khoi H. Tran	3651	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 01 February 2006.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-5,9-16,20-27 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-5, 9-16, 20-27, and 31-33 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

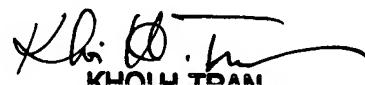
Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



KHOI H. TRAN

PRIMARY EXAMINER

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

1. The submitted exhibits filed on 02/01/2006 fail to comply with the information disclosure statement provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because they are not properly filed via the inclusion upon a PTO-1449 list. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 11, 22, and 33 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject that was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The original specification is silent as to the specifics of actually dividing the internal buffer into three claimed categories.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 13, "an automated material handling system" lacks positive identification. It is not distinct whether this element is in fact part of the claimed invention. Positive identification of the automated handling system is required.

Claim 9, line 3, "300mm semiconductor equipment and material international (SEMI) E40 service resident in the fabrication tool" lack positive identification. It is not distinct whether these elements are in fact part of the claimed invention. Positive identification of the 300mm semiconductor equipment and material international (SEMI) E94 service resident in the fabrication tool is required.

Claim 10, line 3, "300mm semiconductor equipment and material international (SEMI) E40 service resident in the fabrication tool" lack positive identification. It is not distinct whether these elements are in fact part of the claimed invention. Positive identification of the 300mm semiconductor equipment and material international (SEMI) E40 service resident in the fabrication tool is required.

Claim 11, line 6, "300mm semiconductor equipment and material international (SEMI) E40 service resident in the fabrication tool" lack positive identification. It is not distinct whether these elements are in fact part of the claimed invention. Positive identification of the 300mm semiconductor equipment and material international (SEMI) E87 service resident in the fabrication tool is required.

Claim Rejections - 35 USC § 103

6. Claims 1-5, 9-16, 20-27, and 31-33, are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lin 6,748,282.

Lin '282 discloses system, software, and method for carrier traffic management per claimed invention. Lin '282 traffic system comprises fabrication tool 18, a host computer 32 connected to the fabrication tool 18, and a material transport system 10 (Figure 1). Upon detecting a load port of the fabrication tool is available, the host computer is configured to acquire an obvious if not inherent available number (at least one) of control jobs, process jobs or internal buffer sections resource type for the fabrication tool 18 (Figure 2, steps 92/94). Lin '282 lot sequence number within fabrication equipment is known for the available fabrication equipment (column 1, lines 64-67). Maximum lot wafer count to be received by fabrication equipment is known (column 5, lines 54-56). Lin '282 system acquires carrier identification and required number (at least one) of control jobs, process jobs, or internal buffer sections corresponding to a carrier. Lin '282 system identifies selected lots within a required processing queue to be processed (Figure 3, step 102, and Figure 4). If the available number (at least one) of control jobs, process jobs, or internal buffer sections of the fabrication tool matches the required number control jobs, process jobs, or internal buffer sections of the carrier, the carrier is moved to the fabrication equipment (Figure 3, step 146).

In regards to claims 2, 5, 13, 16, 24, and 27, Lin '282 system sends advisory to an operator or an automated dispatch system if the available resource type does not match the required number of resource type (Figure 4). This would obviously include the scenario when the available number of resource type is less than the required number of resource type.

In regards to claims 3, 14, and 25, In order to follow industry's standards, it is obvious that Lin '282 fabrication tool provides a plurality of services compliant to a 300mm semiconductor equipment and material international (SEMI) standard.

In regards to claims 4, 15, and 26, per Lin '282 system, the carrier identity is acquired from an operator or an automated dispatch system.

In regards to claims 9-11, 20-22, and 31-33, Since Lin '282 anticipates all elements per claimed invention, it is at least obvious, if not inherent that Lin '282 available number of control jobs can be acquired by executing a 300mm semiconductor equipment and material international (SEMI) E94 or E40 or E87 service resident in the fabrication tool.

Response to Arguments

7. Applicant's arguments filed 02/01/2006 have been fully considered but they are not persuasive.

Applicant argued that Lin 6,748,282 does not teach about resource comparison means for verifying whether available number of control jobs, process jobs, or internal buffer sections exceeds or equals to the required number of control jobs, process jobs, or internal buffer sections. This argument is not persuasive. Applicant's attention is

directed to at least Lin '282 column 7, 2nd and 3rd paragraphs and step 1 in column 8. In combination with the reasons in paragraph 6 above, Lin '282 comprises the comparison means for verifying whether available number of control jobs, process jobs, or internal buffer sections exceeds or equals to the required number of control jobs, process jobs, or internal buffer sections.

Conclusion

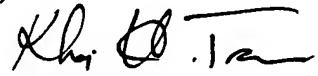
8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khoi H. Tran whose telephone number is (571) 272-6919. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khoi H Tran
Primary Examiner
Art Unit 3651

KHT
04/17/2006